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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PAUL RESIKA, MICHAEL STEINER, GIORGIO  
CAVALLON FAMILY LIMITED PARTNERSHIP,  
DOLORES T. HILDING, GEORGE MCNEIL  
CHARITABLE TRUST, and HELEN MCNEIL,

ECF  
07 Civ. 9668 (SHS)

Plaintiffs,

- against -

BENUCCI S.r.l.,

Defendant.  
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**NOTICE OF MOTION TO DISMISS FRAUDULENT CONVEYANCE CLAIM**

**PLEASE TAKE NOTICE** that upon the accompanying (a) memorandum of law of Defendant, (b) the declaration of Defendant's counsel, William C. Rand, Esq., and the exhibits attached thereto, and (c) all pleadings filed herein, a motion to dismiss Plaintiffs' fraudulent conveyance claims under Section 276 of the New York Debtor and Creditor Law pursuant to Rule 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure, will be made by Defendant on a date to be set by the Court before the Honorable Sydney H. Stein at the United States Courthouse, 500 Pearl Street, New York, New York, 10007-1312.

Dated: New York, New York  
March 7, 2007

LAW OFFICE OF WILLIAM COUDERT RAND

s/William C. Rand

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